

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:24-mj-00004-SCR**

UNITED STATES OF AMERICA,)
)
)
)
v.)
)
)
MATERIAL WITNESS,)
)
_____)

ORDER

THIS MATTER is before the Court following an initial appearance and hearing. The initial appearance and hearing occurred after a material witness (the “Material Witness”) was arrested pursuant to a bench warrant issued by the Superior Court of the District of Columbia to secure the Material Witness’ appearance and testimony at a trial scheduled to begin on January 9, 2024 (the “Trial”).¹ (Doc. Nos. 1 & 1-1). At the hearing, the Government did not move for detention and requested that the Material Witness: (1) be released on conditions, including standalone electronic monitoring; (2) cooperate with the necessary individuals in the U.S. Attorney’s Office for the District of Columbia or investigating agency to arrange the Material Witness’ travel² to secure his appearance and testimony at the Trial; and (3) be required to appear to testify³ at the Trial on or about January 10, 2024. Based on the information presented at the

¹ According to the parties, the Subpoena originally issued to the Material Witness required his testimony on January 10, 2024, the day following the commencement of Trial.

² The Government informed the Court at the initial appearance that the appropriate authorities in the District of Columbia are prepared and waiting to speak with the Material Witness to arrange and pay for such travel to the District of Columbia.

³ Nothing in this Order impacts any Constitutional rights that the Material Witness has related to his testimony.

hearing, the Court entered conditions of release as requested by the Government. The Court now memorializes certain of the Court's oral rulings at the hearing.

IT IS, THEREFORE, ORDERED that the Material Witness shall be released from custody on January 5, 2024, subject the Court's Order Setting Conditions of Release. Upon the Material Witness' release, the Material Witness shall immediately report to the United States Probation Office on January 5, 2024, to set-up standalone location monitoring as required by the Court's Order Setting Conditions of Release. In the event that the Material Witness is not released in time to report to the United States Probation Office by the close of business on January 5, 2024, the Material Witness shall immediately report to the United States Probation Office the next business day, on January 8, 2024.

IT IS FURTHER ORDERED that the Material Witness shall promptly and fully cooperate with any necessary individuals in the U.S. Attorney's Office for the District of Columbia or the investigating agency to arrange for his travel to the District of Columbia to secure his appearance and testimony at the Trial.

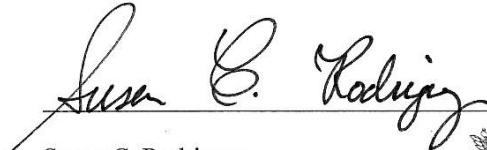
IT IS FURTHER ORDERED that the Material Witness shall appear at the Trial on January 10, 2024, or as adjusted based on the Superior Court of the District of Columbia's trial schedule, as required in the Subpoena issued to him and this Court's Orders. As explained at the hearing, if there is a failure to comply with this Court's Orders, the Material Witness is cautioned that the Material Witness may be found in contempt.

IT IS FURTHER ORDERED that upon the Material Witnesses' appearance and following his release or excusal as a witness from the Trial by the Superior Court of the District of Columbia, this Order and the Court's Order Setting Conditions of Release shall no longer remain in effect and the Material Witness shall be released from all conditions including but not limited

to location monitoring subject to coordination with the United States Probation Office to arrange the return of the location monitoring equipment.

SO ORDERED.

Signed: January 5, 2024



Susan C. Rodriguez

Susan C. Rodriguez
United States Magistrate Judge

